



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2014-26

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
ADOPTING A RECORDS RETENTION SCHEDULE AND AUTHORIZING DESTRUCTION OF
CERTAIN DISTRICT RECORDS**

WHEREAS, the maintenance and retention of the District's official records is required under the Government Code; and

WHEREAS, the retention of records is costly, time consuming, and presents long term document storage issues; and

WHEREAS, many documents maintained by the District are no longer necessary to maintain after a specified period of time; and

WHEREAS, Section 60200 of the Government Code of the State of California provides that the legislative body of a special district may authorize at any time the destruction or disposition of any duplicate record, paper, or document, the original or a permanent photographic record of which is in the files of any officer or department of the District; and

WHEREAS, Section 60201 of the Government Code of the State of California is amended effective January 1, 2005 to provide that district records which have served their purpose, which are not expressly required by law to be filed and preserved, and which will not adversely affect any interest of the district or public may be destroyed; and

WHEREAS, the District has a procedure to maintain a list of the types of records destroyed or disposed of that reasonably identifies the information contained in the records in each category.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Board of Directors finds that the destruction or disposition of the records series that have exceeded the retention periods as set forth in the Records Retention Schedule Exhibit A will not adversely affect any interest of the District or the public.


SECTION 2. The records of the Town of Discovery Bay Community Services District, as set forth in the Records Retention Schedule Exhibit A, attached hereto and incorporated herein by this reference, are hereby authorized to be destroyed as provided by Section 60201 et seq. of the Government Code of the State of California and in accordance with the provision of said schedule in accordance with District policies and procedures.

SECTION 3. The term "records" as used herein shall include documents, instructions, books, microforms, electronic files, magnetic tape, optical media, or papers; as defined by the California Public Records Act.

SECTION 4. This Resolution takes effect concurrent with the adoption of this Resolution.

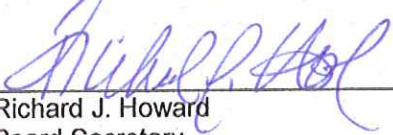
SECTION 5. The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 19th DAY OF NOVEMBER, 2014.


Mark Simon
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on November 19, 2014, by the following vote of the Board:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0


Richard J. Howard
Board Secretary

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Human Resources	DW-001	Accident, Incident, Injury reports: EMPLOYEES , with associated MSDS, if a chemical was involved	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			Copies retained for reference; GC §60200
Risk Manag.	DW-002	Accident, Incident, Injury reports: PUBLIC	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			Copies retained for reference; GC §60200
Finance	DW-003	Accounts Payable, Invoices, Petty Cash, Warrant Requests, etc. ALL backup is forwarded to Finance	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Before Payment	Mag, Ppr			All originals go to Finance (these are copies); GC §60200
Lead Dept.	DW-004	Affidavits of Publications / Public Hearing Notices / Legal Advertising / Affidavits of Posting	2 years		2 years		Mag, Mfr, OD, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP §§337 et seq, 349.4; GC §§60201, 54960.1(c)(1)
Board Clerk	DW-005	Agenda Packets / Staff Reports: Board of Directors	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	GC §60200

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<i>Litigation, complaints, claims, audits, pending public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Board Clerk	DW-006	Agreements & Contracts ALL BOARD APPROVED (Specifications / Scope of Work, Notices of Completion, etc.)	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S	Yes: Upon Completi on	All agreements that are approved by the Board of Directors are sent to the Board Clerk; GC §60200
Lead Dept.	DW-007	Agreements & Contracts: ADMINISTRATIVE FILES / ORIGINAL CONTRACTS Not Approved by the Board of Directors (Correspondence, Project Administration, Project Schedules, Certified Payrolls, Insurance Certificates, Invoices, Logs, RFP, etc.)	Completion	10 years	Completion + 10 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S/I	Yes: Upon Completi on	Covers E&O Statute of Limitations (insurance certificates are filed with agreement); Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq., GC §60201

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Lead Dept.	DW-008	<p>Agreements & Contracts: ADMINISTRATIVE FILES (with Grant Funding) / ORIGINAL CONTRACTS Not Approved by the Board of Directors</p> <p>(Correspondence, Project Administration, Project Schedules, Certified Payrolls, Insurance Certificates, Invoices, Logs, RFP, etc.)</p>	Completion	10 years or After Funding Agency Audit, if required, whichever is longer	Completion + 10 years or After Funding Agency Audit, if required, whichever is longer	Yes: Before Completion	Mag, Mfr, OD, Ppr	S/I	Yes: Upon Completion	<p>Some grant funding agencies require audits; Statute of Limitations for Errors & Omissions is 10 years; Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq., 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), 92.505, & 570.502(b), 28 CFR 66.42; 29 CFR 97.42; 40 CFR 31.42; 44 CFR 13.42; 45 CFR 92.42; OMB Circular A-133GC §60201</p>

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<i>Litigation, complaints, claims, audits, pending public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Lead Dept.	DW-009	Agreements & Contracts: UNSUCCESSFUL BIDS, UNSUCCESSFUL PROPOSALS or RESPONSES to RFPs (Request for Proposals) and/or RFQs (Request for Qualifications) that don't result in a contract	2 years		2 years		Mag, Ppr			The RFP / RFQ and the successful proposal becomes part of the agreement or contract (Board Clerk is OFR); GC §60201
Finance	DW-010	Audits / Audit Reports / CAFR - Comprehensive Annual Financial Reports	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			Copies; GC §60200
	DW-011	Bids: See Agreements & Contracts								
Staffing Dept.	DW-012	Boards and Committees: AUDIO RECORDINGS of Meetings / Audio Tapes	2 years		2 years		Tape (Mag)			District preference; State law only requires for 30 days; GC §54953.5(b)
Staffing Dept.	DW-013	Boards, Commissions, & Committees: Board of Directors Subcommittees (Composed solely of less than a quorum of the Board of Directors)	2 years		2 years		Mag, Ppr			All recommendations are presented to the Board of Directors; GC §60201 et seq.

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	DW-014	Boards, Commissions, & Committees: External Organizations (e.g. County Board of Supervisors)	When No Longer Required		When No Longer Required		Mag, Ppr			Non-records
Staffing Dept.	DW-015	Boards, Commissions, & Committees: Residents Advisory Bodies Formed by Board of Directors AGENDAS, AGENDA PACKETS.	Minimum 2 years				Mag, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; GC §§60201, 54960.1(c)(1)
Staffing Dept.	DW-016	Boards, Commissions, & Committees: Residents Advisory Bodies Formed by Board of Directors MINUTES & BYLAWS	P		P	Yes	Mag, Mfr, OD, Ppr	S	Yes: After 10 years	Notes taken to facilitate the writing of the minutes can be destroyed after minutes have been adopted; GC §60201 et seq.
	DW-017	Brochures: See Reference Manuals			Copies - When No Longer Required					
Board Clerk & Finance	DW-018	Budgets - Finals	Copies - When No Longer Required			Yes: Current Fiscal Year	Mag, Mfr, OD, Ppr	S/I	Yes: After 5 years	Final must be filed with County Auditor; GC §60200, 40802, 53901
Lead Dept.	DW-019	Attorney Opinions	Minimum 2 years		Minimum 2 years	Yes	Mag, Mfr, OD, Ppr	S		Department Preference; GC §60201

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Board Clerk AND Risk Manage.	DW-020	Claims	Copies - When No Longer Required (Upon Settlement)		Copies - When No Longer Required (Upon Settlement)	Yes: Before Settlement	Mag, Mfr, OD, Ppr	S/I	Yes: After Settlement	GC §§60200, 60201.6
Lead Dept.	DW-021	Committees Internal - Attended by employees: All Records (e.g. Records Management Committee, In-House Task Forces, etc.)	2 years		2 years		Mag, Ppr			GC §60201
Lead (Responding) Dept.	DW-022	Complaints / Concerns from Citizens Computer Tracking Software or Correspondence	Minimum 2 years		Minimum 2 years		Mag, Ppr			District preference; Statute of Limitations for personal property, fraud, etc. is 3 years; Claims must be filed in 6 months; CCP §§338 et seq., 340 et seq., 342, GC §§945.6, GC §60201
	DW-023	Contracts: See Agreements								
	DW-024	Copies or duplicates of any record	Copies - When No Longer Required		Copies - When No Longer Required		Mag Ppr			GC §60200

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Dept. that Authors Document or Receives the District's Original Document	DW-025	Correspondence - ROUTINE (e.g. Letters, Memos, Administrative, Chronological, General Files, Memorandums, Reading File, Working Files, etc.)	2 years		2 years		Mag. Ppr			GC §60201

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Dept. that Authors Document or Receives the District's Original Document	DW-026	Correspondence - TRANSITORY / PRELIMINARY DRAFTS , Interagency and Intraagency Memoranda not retained in the ordinary course of business (e.g. calendars, checklists, e-mail or social media posting NOT made or retained for the purpose of preserving the informational content for future reference, invitations, instant messaging, logs, mailing lists, meeting room registrations, supply inventories, telephone messages, transmittal letters, thank yous, requests from other cities, undeliverable envelopes, visitors logs, voice mails, webpages, etc.)	When No Longer Required		When No Longer Required		Mag, Ppr			Electronic and paper records are filed and retained based upon their content. E-mails, electronic records, or social media postings that ARE made or retained for the purpose of preserving the informational content for future reference are saved outside the e-mail system by printing them out and placing them in a file folder, or saving them electronically; If not mentioned here, consult the District Attorney to determine if a record is considered transitory / preliminary drafts. GC §60201, GC §6252
Board Clerk	DW-027	Deeds, Easements, Final Orders of Condemnations (All)	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			Send all originals to the Board Clerk; GC §60200

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Lead Dept.	DW-028	Drafts & Notes: Drafts that are revised (retain final version)	When No Longer Required		When No Longer Required		Mag, Ppr			As long as the drafts and notes are not retained in the "Regular Course of Business". Consult the District Attorney to determine if a record is considered a draft. GC §§60201, 6252, 6254(a)
Lead Dept.	DW-029	Facility Use Applications / Facility Use Permits	2 years		2 years		Mag, Ppr			GC §60201
Lead Dept.	DW-030	GIS Database / Data / Layers (both District-wide and Specialized)	When No Longer Required		When No Longer Required	Yes	Mag			The Lead Department should print out historical documents (or save source data) prior to replacing the data, if they require the data or output for historical purposes; Department Preference (Preliminary documents); GC §60201 et seq.
Lead Dept.	DW-031	Grants (UNSUCCESSFUL Applications, Correspondence)	2 years		2 years		Mag, Ppr			GC §60201

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Lead Dept.	DW-032	Grants / CDBG / Reimbursable Claims (SUCCESSFUL Reports, other records required to pass the funding agency's audit, if required) Applications (successful), grant agreement, program rules, regulations & procedures, reports to grant funding agencies, correspondence, audit records, completion records	2 years	After Funding Agency Audit, if Required - Minimum 5 years	After Funding Agency Audit, if required - Minimum 5 years		Mag, Ppr			Meets auditing standards; Grants covered by a Consolidated Action Plan are required for 5 years; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; statewide guidelines propose 4 years; 7 CFR 3016.42; 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), 92.505, 570.490, & 570.502(a&b), 28 CFR 66.42; 29 CFR 97.42; 40 CFR 31.42; 44 CFR 13.42; 45 CFR 92.42; OMB Circular A-110 & A-133; GC §60201
Human Resources	DW-033	Grievances and Informal Complaints (Employees)	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Before Disposition	Mag, Ppr			Send all grievances to Human Resources; All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after action is taken; GC §§12946, 60201

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Risk Manag.	DW-034	Lawsuits, Litigation, Pending Litigation	Copies - When No Longer Required (Upon Settlement)		Copies - When No Longer Required (Upon Settlement)	Yes: Before Settlement	Mag, Mfr, OD, Ppr	S/I	Yes: After Settlement	Risk Management administrates claim; GC §§60200, 60201.6
Lead Dept.	DW-035	Leave Requests / Vacation Requests	When No Longer Required		When No Longer Required		Mag, Ppr			District Preference; Preliminary draft / transitory record; GC §60201, GC §6252
Board Clerk	DW-036	Minutes - Board of Directors	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Originals maintained by Board Clerk Permanently; GC §60200
Board Clerk	DW-037	Municipal Code (these are copies)	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Current Original	Mag, Mfr, OD, Ppr	I	No	Return any whole unused codes to the Board Clerk; Originals maintained by Board Clerk Permanently; GC §60201
Lead Dept.	DW-038	Newspaper Clippings	When No Longer Required		When No Longer Required		Ppr			Non-records - may be obtained from the newspaper company; GC §60201
Staffing Dept.	DW-039	Notices: Public Hearing Notices and Proofs of Publications	Project Approval + 2 years		Project Approval + 2 years		Mag, Ppr			Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP§337 et seq; GC §60201

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Board Clerk	DW-040	Ordinances - Board of Directors	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Originals maintained by Board Clerk Permanently; GC §60201
Human Resources	DW-041	Personnel Files	Send to Human Resources Upon Separation or Transfer		Send to Human Resources Upon Separation or Transfer	Before Separation	Mag, Ppr			Ensure records kept in Department files comply with District policy (all originals are sent to Human Resources); GC §60200
Lead Dept.	DW-042	Personnel Files (Supervisor's Notes)	When No Longer Required		When No Longer Required	Before Annual Performance Evaluation	Mag, Ppr			Notes maintained in a separate folder to be incorporated into performance evaluation, or to document progressive discipline; GC §60201 et seq.
Lead Dept.	DW-043	Personnel Work Schedules	2 years		2 years		Mag, Ppr			GC §60201
Lead Dept.	DW-044	Public Relations / Press Releases	2 years		2 years		Mag, Ppr			GC §60201
Lead Dept. (Who Ordered the Appraisal)	DW-045	Real Estate Appraisal Reports: Property NOT purchased, Loans not funded, etc.	2 years		2 years		Mag, Ppr			Not accessible to the public; Statewide Guidelines show 2 years; GC §§60201, 6254(h)

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Lead Dept. (Who Ordered the Appraisal)	DW-046	Real Estate Appraisal Reports: Purchased Property, Funded Loans	2 years	Minimum 3 years	Minimum 5 years	Yes: Before Purchase	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Not accessible to the public until purchase has been completed; meets grant auditing requirements; 24 CFR 85.42 & 91.105(h), & 570.502(b); 29 CFR 97.42, GC §60201
	DW-047	Reference Materials: Policies, Procedures, Brochures, Manuals, etc: Produced by OUTSIDE ORGANIZATIONS (League of California Cities, Chamber of Commerce, etc.)	When No Longer Required		When No Longer Required		Mag, Ppr			Non-Records
Lead Dept.	DW-048	Reference Materials: Policies, Procedures, Brochures, Flyers, Manuals, etc: Produced by YOUR Department	Minimum 2 years		Minimum 2 years		Mag, Ppr			Statewide guidelines propose superseded + 2 or 5 years; GC §60201
Lead Dept.	DW-049	Reference Materials: Policies, Procedures, Brochures, Flyers, Manuals, etc: Produced by OTHER Departments	When Superseded		When Superseded		Mag, Ppr			Copies; GC §60200
	DW-050	Reference or Working Files: See Correspondence								

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Lead Dept.	DW-051	Reports and Studies (Historically significant - e.g., Zoning Studies)	10 years	P	P		Mag, Mfr, OD, Ppr	S/I	Yes: After 10 years	Administratively and Historically significant, therefore retained permanently; GC §60201
Lead Dept.	DW-052	Reports and Studies (other than Historically significant reports - e.g. Annual Reports)	10 years		10 years		Mag, Ppr			Information is outdated after 10 years; statewide guidelines propose 2 years; If historically significant, retain permanently; GC §60201
Board Clerk	DW-053	Resolutions - Board of Directors	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Originals maintained by Board Clerk Permanently; GC §60200
Lead Dept.	DW-054	Special Projects / Subject Files / Issue Files	Minimum 2 years		Minimum 2 years		Mag, Ppr			Department Preference; GC §60201 et seq.
Lead Dept.	DW-055	Subject / Reference Files: Subjects other than Specifically Mentioned in Retention Schedules	Minimum 2 years		Minimum 2 years		Mag, Ppr			Department Preference; GC §60201 et seq.
Lead Dept.	DW-056	Surveys / Questionnaires (that the District issues). If a summary of the data is compiled, the survey forms are considered a draft or transitory record, and can be destroyed as drafts (When No Longer Required)	2 years		2 years		Mag, Ppr			GC §60201

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Finance / Payroll	DW-057	Time Sheets / Time Cards / Overtime Sheets / Overtime Cards	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			GC §60200
Lead Dept.	DW-058	Training - ALL COURSE RECORDS (Attendance Rosters, Outlines and Materials; includes Ethics & Safety training)	2 years	5 years	7 years		Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Department preference; Ethics Training is 5 years; Statewide guidelines propose 7 years; Calif. Labor Division is required to keep their OSHA records 7 years; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years for personnel actions; 8 CCR §3203 et seq., 29 CFR 1627.3(b)(ii), LC §6429(c); GC §§12946, 60201, 53235.2(b)

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Lead Dept.	DW-059	Volunteer / Unpaid Intern Applications & Agreements - Successful	Inactive / Separation + 3 years		Inactive / Separation + 3 years		Ppr			Department preference (Courts treat volunteers as employees); EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; 29 CFR 1602.31 & 1627.3(b)(1)(i)&(ii), GC §§12946, 60201
Lead Dept.	DW-060	Volunteer / Unpaid Intern Applications & Agreements - Unsuccessful or Pending Applicants	3 years		3 years		Ppr			Department preference (Courts treat volunteers as employees); EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; 29 CFR 1602.31 & 1627.3(b)(1)(i)&(ii), GC §§12946, 60201